

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA, and
STATE OF NEW MEXICO, ex rel. STATE
ENGINEER,

Plaintiffs,

and

ZUNI INDIAN TRIBE, NAVAJO NATION,

Plaintiffs in Intervention,

V.

A & R PRODUCTIONS, et al.,

Defendants.

No. 01-cv-0072 MV/WPL

ZUNI RIVER BASIN ADJUDICATION

Subfile No. ZRB-4-0108

ORDER ADOPTING MAGISTRATE JUDGE’S PROPOSED FINDINGS AND RECOMMENDED DISPOSITION

This matter is before the Court on the Magistrate Judge's Proposed Findings and Recommended Disposition (PFRD), filed November 19, 2015. (Doc. 3134). The parties were notified that objections were due within fourteen days of service of the PFRD and that if no objections were filed, no appellate review would be allowed. To this date, no objections have been filed.

IT IS THEREFORE ORDERED that:

- 1) the PFRD is adopted as an order of the Court;
- 2) the Plaintiffs' Joint Motion for Judgment on the Pleadings (Doc. 3115) is GRANTED;

3) the right of the Defendants, Robert W. and Hannah C. Crooks, to divert and use the public waters of the Zuni River Stream System, Sub-areas 1, 2, and 3 excluding Ramah, is as set forth below:

WELL

Map Label: 3C-5-W029

OSE File No: G 02252

Priority Date: 10/23/1995

Purpose of Use: 72-12-1 DOMESTIC ONE HOUSEHOLD

Well Location: As shown on Hydrographic Survey Map 3C-5

S. 32 T. 11N R. 15W 1/4, 1/16, 1/64 SE NW NE

X (ft): 2,541,460 Y (ft): 1,507,066

New Mexico State Plane Coordinate System, West Zone, NAD 1983

Amount of Water: Historical benefit use not to exceed 0.7 ac-ft per annum


4) The Defendants have no right to divert and use the public waters of the Zuni River Stream System, Sub-areas 1, 2, and 3 excluding Ramah, except as set forth in this Order and other Orders entered by the Court in this cause;

5) The Defendants, their successors, representatives, heirs, and assigns, are enjoined from any diversion or use of the public waters of the Zuni River Stream System, Sub-areas 1, 2, and 3 excluding Ramah, except in strict accordance with this Order and other orders of the Court in this cause; and

6) The water right described herein is adjudicated as between the United States, the State of New Mexico, and the Defendants, subject to the right of any other water right claimant with standing to object prior to the entry of a final decree in this cause.

7) The Clerk of the Court is directed to mail a copy of this Order to Robert W. and Hannah C. Crookes, P.O. Box 70, Ramah, NM 87321-0070.

IT IS SO ORDERED.


UNITED STATES DISTRICT JUDGE